IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO.106 OF 2005
IN
SUMMARY SUIT NO.3614 OF 2004

Dr.Ayodhya Prakash Sidhar ..Plaintiff

Vs.

Manish K.Gupta ..Defendant

Mrs.Nadia Bhatia i/b P.S.Gidwani for the plaintiff

CORAM : S.U.KAMDAR, J
DATED : 26TH OCTOBER, 2005

P.C.:

. The present suit is filed for the recovery of sum of Rs.1,30,000/- on the basis of agreement to repay Rs.7,50,000/- by monthly instalment of minimum of Rs.5000/-. It is the case of the plaintiff that as on the date of the suit i.e. 30.11.04 Rs.2,25,000/- was due and payable. Out of which he has paid Rs.95,000/- and balance outstanding is of Rs.1,30,000/-. Defendants are served with the Summons for Judgment. The learned counsel for the plaintiff undertake to file Affidavit of Service of the Summons for Judgment on the defendant. Pursuant to order passed by the

court, a notice was issued on 19.10.05 to the Advocate of the defendant to appear in the summons for judgment. Notice is duly received. Inspite of the same, none appears. In that view of the matter, Summons for Judgment is made absolute. Suit is decreed as prayed. Suit as well as Summons for Judgment are disposed of accordingly. Refund of court fee as per rules. No order as to costs.